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UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII
1132 Bishop Street, Suite 250
Honolulu, Hawaii 96813

hib_9073-1 (02/10)

Debtor: DWAYNE K. MENDOZA

Case No.: **13-01333**

Joint Debtor:
(if any) NILA T. MENDOZA

Chapter: **7**

[If Adversary Proceeding, complete information below. Use "et al" if multiple parties.]

Plaintiff(s): CAROLYN P. MENDOZA

Adversary Proceeding No.:
(if applicable)

16-90020

vs.

Defendant(s): DWAYNE K. MENDOZA

NOTICE OF HEARING
Courtroom – 1132 Bishop Street, Honolulu, Hawaii

Hearing Date: **September 30, 2016**
Time: **10:00 a.m.**

Objections Due: **Sept. 16, 2016**

Matter being
heard:

DEFENDANT DWAYNE K. MENDOZA'S MOTION TO ABSTAIN

Related Dkt No.:

41

Moving Party:

DWAYNE K. MENDOZA and NILA T. MENDOZA

NOTICE IS HEREBY GIVEN that this matter is set for hearing at the date and time above. The relief being requested consists of the following. [Briefly describe the relief sought, **including pertinent details.**]

WHEREFORE, Debtor respectfully requests that this court approve the Motion to Abstain.

Defendant prays that the claim in Plaintiff's Complaint be dismissed with prejudice, that Defendant be awarded reasonable attorney's fees and costs incurred, including statutory attorney's fees pursuant to 11 U.S.C. § 523(d), and that the Court grant Defendant such other and further relief as is appropriate.

Your rights may be affected. You should read the motion or application and the accompanying papers carefully and discuss them with your attorney if you have one in this bankruptcy case or proceeding. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in this motion, or if you want the court to consider your views on the motion, then you or your attorney must file a statement explaining your position not later than the date below.

Date response due [enter specific date, and how calculated using the relevant statute, federal or local rule, or order shortening time, e.g. *X days before hearing or X days after* _____.]:

September 16, 2016
Date

How calculated: Local Bankruptcy Rules

Statements must be filed with the court at:

United States Bankruptcy Court
District of Hawaii
1132 Bishop Street, Suite 250
Honolulu, HI 96813

If you mail your response to the court, you must mail it early enough so the court will **receive** it on or before the deadline stated above. The court may disregard any response filed untimely.

You must also mail or transmit a copy to the moving party at:

Responses to be sent to: ABELMANN PETERSON ROLLINS LLC

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If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or application and may enter an order granting that relief.

If no objection to the relief being sought is filed by the deadline stated above, the court may cancel the hearing (although certain types of motions will remain on the court's calendar). If the hearing is canceled, the court may grant the relief if the moving party promptly files a declaration and request for entry of an order [local form hib_9021-1]. If the moving party wishes to proceed with a hearing in the absence of an objection, the moving party should file a request for the matter to remain on calendar [local form hib_9013-1c3].

Dated: 8/10/2016 /s/ Lars Peterson
for Movant (Print name also if original signature)